

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.41101 of 2008

1. PRAKASH PODDAR,
2. BIKAS PODDAR,
BOTH SONS OF LATE DIP NARAYAN PODDAR,
R/O VILLAGE-BHARKO, P.S. AMARPUR,
DISTRICT-BANKA.

-PETITIONERS

Versus

THE STATE OF BIHAR. -OPP.PARTY

2 03.12.2008 Petitioner no.1, Prakash Poddar, has been arrested. Accordingly, his application for grant of anticipatory bail has become infructuous. The same is, accordingly, dismissed as such.

Petitioners are brothers. They allegedly made an abortive bid to commit rape upon the informant when she was sleeping in her own home along with her mother-in-law and children but did not suffer rape in as much as upon waking up the mother-in-law called the husband of the informant who was sleeping on the roof and upon his coming the petitioners fled. Considering the nature of the allegations, I allow the application of petitioner no.2, Bikas Poddar, for grant of anticipatory bail.

Let the petitioner no.2, in the event of his arrest or surrender within six weeks from today, be enlarged on bail on his furnishing bonds of Rs.10,000/- (Rupees ten thousand)

with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in Amarpur P.S. Case no. 130 of 2008 (G.R. no. 864 of 2008), subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(Barin Ghosh, J.)

AAhmad

